

REMARKS/ARGUMENTS

I. Status of Claims and Summary of Rejections

Claims 1-12, 16, 19, 20-23, and 26-27 are now pending. Claims 20-23 and 26-27 are allowed. Claims 10-12 and 19 were indicated to be drawn to patentable subject matter, but were objected to as being dependent on rejected claims. Claim 1 was rejected as anticipated by U.S. Patent No. 5,131,807 to Fischer et al. Claim 2 was rejected as unpatentable over Fischer in view of U.S. Patent No. 4,402,618 to Fortmann et al. Claims 3-4 were rejected as unpatentable over Fischer and Fortmann, and further in view of either U.S. Patent Application Publication 2003/0169951 to Nishijima et al. or U.S. Patent Application Publication 2005/0012411 to Hoffman. Claims 5 and 13-14 were rejected as unpatentable over Fischer and Fortmann, and further in view of U.S. Patent Application Publication 2002/0039461 to Obara et al. Claims 6-7 were rejected as unpatentable over Fischer in view of Swinton. Claim 8 was rejected as unpatentable over Fischer in view of U.S. Patent No. 5,857,332 to Johnston et al. Claim 9 was rejected as unpatentable over Fischer in view of Fortmann, and further in view of U.S. Patent No. 5,890,881 to Adeff.

Claim 16 was rejected as unpatentable over Fischer in view of U.S. Patent No. 4,850,721 to Malabre et al. Claim 17 was rejected as unpatentable over Fischer and Malabre, and further in view of Fortmann. Claim 18 was rejected as unpatentable over Fischer, Malabre, and Fortmann, and further in view of Swinton.

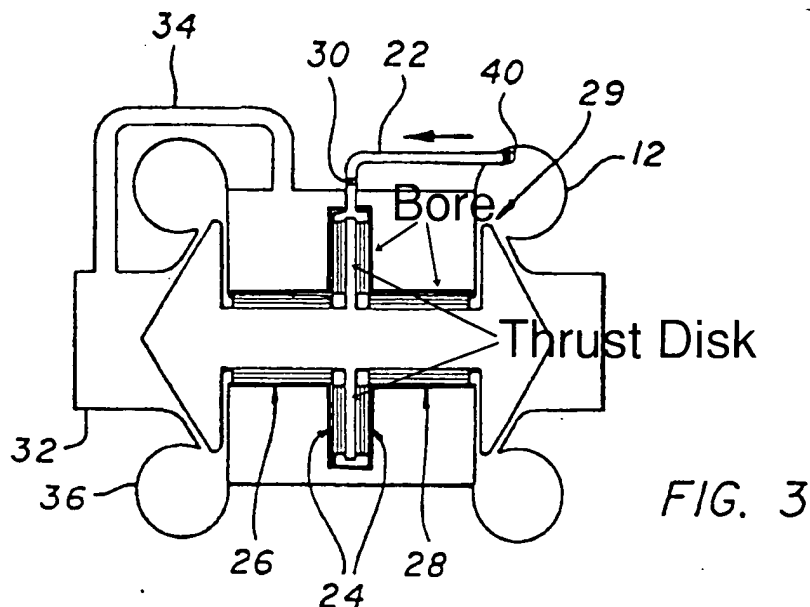
Finally, Claim 28 was rejected as unpatentable over U.S. Patent No. 6,263,672 to Roby et al. in view of U.S. Patent No. 5,427,455 to Bosley.

Applicant sincerely appreciates the indication of allowed and allowable claims. For the reasons explained below, it is respectfully submitted that all claims as amended above are patentable over the cited references.

II. One-Piece Center Housing/Bearing Cartridge Aspect of Claim 1

The turbocharger of Claim 1 has a one-piece center housing, and the bearing cartridge is configured to be inserted as a unit into the bore of the center housing from one end thereof. The bearing assembly includes a thrust bearing assembly captured between two journal bearings.

In contrast, all of the cited references that have a bearing assembly comprising a thrust bearing captured between two journal bearings are characterized by the center housing being a *two-piece* center housing. The Office Action asserts that Fischer discloses a one-piece center housing, but this clearly cannot be the case in view of the structure of the bore in the center housing and the configuration of the thrust bearing. Applicant has reproduced Figure 3 of Fischer below, and has indicated the bore of the center housing using heavy black lines:



To accommodate the thrust disk and thrust bearings 24, the bore must have a portion of much larger diameter than the adjacent portions of the bore that house the journal bearings 26, 28. There is no way that the thrust disk and thrust bearings can be inserted into the bore from one

end thereof, which would be essential if the center housing were truly one piece. Therefore, it is clear that the center housing is not formed in one piece. Persons of ordinary skill in the art would recognize that Fischer's center housing would have to be formed in at least two pieces (similar to the center housing configuration shown in U.S. Patent Application Publication 2002/0097928 to Swinton et al. in Figure 3).

Accordingly, Applicant respectfully submits that Fischer fails to teach or suggest a turbocharger as defined by Claim 1. The other cited references likewise do not teach or suggest the claimed turbocharger. Therefore, Claim 1 is patentable.

III. Claim Amendments

Claim 10, which was indicated to be patentable in subject matter, has been amended to be in independent form. Accordingly, Claim 10 is in condition for allowance.

As noted, Applicant appreciates the allowance of Claim 20. Applicant has amended Claim 16 to include the bearing cartridge as defined by Claim 20. Therefore, it is submitted that Claim 16 is in condition for allowance.

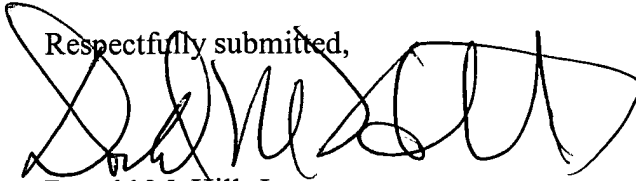
IV. Conclusion

Based on the above amendments and remarks, it is submitted that the application is in condition for allowance.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

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therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

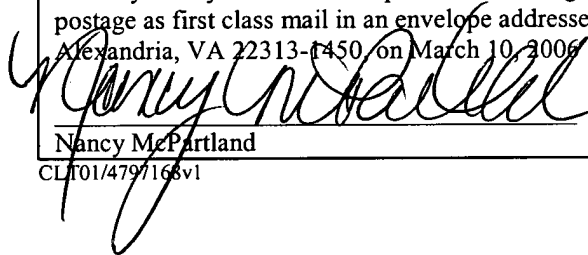
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 10, 2006.


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